



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0039

Introduced 1/14/2009, by Rep. Donald L. Moffitt

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-2.08 new

Amends the Illinois Public Aid Code. Provides that the Department of Human Services, in consultation with the Department of Healthcare and Family Services, shall develop a demonstration project within the Home Services Program under which a spouse may be reimbursed for providing care to his or her spouse, who is eligible for services through the Home Services Program and who meets the criteria for the demonstration project. Provides that the demonstration project shall operate in selected counties and be limited to serving no more than 100 unduplicated persons in a State Fiscal Year. Sets forth required components of the demonstration project. Requires that development of the demonstration project begin by July 1, 2009. Requires an interim report to the Governor and the General Assembly by March 1, 2010 and a report of findings and recommendations by March 1, 2011. Effective immediately.

LRB096 03012 DRJ 13026 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 5-2.08 as follows:

6 (305 ILCS 5/5-2.08 new)

7 Sec. 5-2.08. Spousal caregiver demonstration.

8 (a) The Department of Human Services, in consultation with  
9 the Department of Healthcare and Family Services, shall develop  
10 a demonstration project within the Home Services Program under  
11 which a spouse may be reimbursed for providing care to his or  
12 her spouse, who is eligible for services through the Home  
13 Services Program and who meets the criteria for this  
14 demonstration project. The demonstration project shall operate  
15 in selected counties and be limited to serving no more than 100  
16 unduplicated persons in a State fiscal year.

17 The components of the demonstration project shall include  
18 the following:

19 (1) Authorization for a spouse to be reimbursed for  
20 care provided to his or her otherwise eligible spouse  
21 through the Home Services Program.

22 (2) The development of specific criteria for the  
23 provision of services under the demonstration project.

1           (3) The determination of the personal care or similar  
2           services for which payment may be made.

3           (4) The method for determining that the amount of  
4           personal care or similar services provided by the spouse is  
5           "extraordinary care" that exceeds the ordinary care that  
6           would be provided to a spouse without a disability.

7           (5) Limitations on the number of hours of personal  
8           services that will be reimbursed.

9           (6) Utilization of the Determination of Need  
10           evaluation and other comprehensive assessment tools as  
11           criteria for determining eligibility and developing  
12           service plans under the demonstration project.

13           (7) Determination of how or whether the provision of  
14           personal care by the spouse is in the best interest of his  
15           or her spouse, who is an eligible participant in the  
16           demonstration project.

17           (8) Use of procedures that ensure that payments are  
18           made for services rendered.

19           (9) Assurances that all other criteria of the  
20           demonstration project are met.

21           (10) Measurement of participant experiences.

22           (b) By July 1, 2009, the Department of Human Services, in  
23           consultation with the Department of Healthcare and Family  
24           Services, shall begin development of the demonstration  
25           project. The Department of Human Services shall provide an  
26           interim report on or before March 1, 2010 to the Governor and

1 the General Assembly that includes the progress on the  
2 development of the demonstration project and implementation  
3 timelines of the demonstration project and the criteria for the  
4 demonstration project.

5 (c) The Department of Human Services shall report findings  
6 and recommendations by March 1, 2011 to the Governor and the  
7 General Assembly. The report shall include an explanation of  
8 the manner in which each demonstration project component listed  
9 in paragraphs (1) through (10) of subsection (a) is addressed.  
10 In addition, the report shall include (i) the estimated number  
11 of clients statewide who could utilize services and (ii) an  
12 analysis of the fiscal impact per client on the Department's  
13 new and existing costs under the Home Services Program.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.